

(LANC & TULLY (

ENGINEERING AND SURVEYING, P.C.

John J. Lanc, P.E., L.S., P.P.
David E. Higgins, P.E.
Rodney C. Knowlton, L.S.

Arthur R. Tully, P.E.
John J. O'Rourke, P.E.
John D. Russo, P.E.

May 9, 2008

Mr. Genaro Argenio, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, NY 12553

RE: Site Plan for Silver Stream, Inc.
Home Office and Care Taker's Apartment
Tax Map No. 33-2-1, Bivona Lane

Dear Chairman Argenio and Planning Board Members,

Enclosed within this submission please find:

- Ten (10) copies of a site plan entitled. " Site Plan Prepared For Silver Stream Incorporated", dated January 1, 2005 and last revised on May 9, 2008.

This submission is being made for placement on the June 11th Planning Board Agenda for a Public Hearing. As you may recall this plan was previously before the Planning Board in April of 2007 site plan review. At that meeting the Board instructed the Applicant to revise the site plan as per the Planning Board Engineer's comment letter, and also provide design and construction cost estimates for the re-location of the sewer line. The Applicant prepared revised site plans and submitted these back to the Planning Board in June of 2007. The project was to be placed on an agenda for Public Hearing at that time. Due to the request for additional information on the re-location of the sewer line the project was removed from the agenda.

Since that time the Applicant has made our office aware that an agreement has been reached with the Town of New Windsor Town Board and Building Department that indicates the Applicant does not to have to re-locate the sewer line as part of the site plan. To my knowledge the agreement will state that the property owner shall be responsible for any damage during any type of work being completed on the sewer main within the property boundaries. This agreement once signed and in place should address any comments that were outstanding in regards to this issue.

The site plans have also been revised in the following manner as per the Planning Board Engineer's comments dated April 25, 2007:

1. It is noted that the office use is approximately 18% of the building use.
2. Five (5) access locations currently exist for the building. The front porch provides for access into both the office portion of the building and the caretaker's residence via separate doors. The rear of the building provides three access locations into the caretaker's residence. One

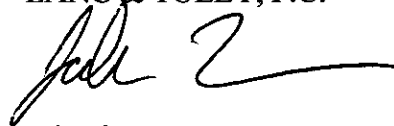
entrance is located at the second floor from the deck and two doors at each of the concrete patios below.

3. The sewer re-location has been discussed above and appears to no longer be required through the new Town agreement.
4. The existing business sign has been depicted on the site plan.
5. Metes and bounds have been shown for all property boundaries and easements.

As was discussed at the April 2007 Planning Board meeting, the living quarters were verified that they are to be occupied by the owner or the caretaker of the office use. I believe that the Board also discussed several determinations that included the following: all proposed structures and materials are accessible for fire and police protection. The proposed use and layout are in harmony with the development of the district and do not have a detrimental effect on the adjacent properties. The proposed use is adjacent to a residential district and in review of the same it was determined that the nature intensity of operations, layouts and landscaping will not be hazardous, inconvenient or conflict with the normal traffic of the neighborhood, nor will the project hinder or discourage appropriate development and use of the adjacent land and buildings.

It is our office's understanding that this site plan was forwarded to the Orange County Planning Department on May 9, 2008 which would allow for the mandatory 30 day review under general municipal law GML-239 prior to the June 11th Public Hearing date. I trust that this submission is complete and that all comments have been addressed to date. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,
LANC & TULLY, P.C.



John Queenan
Project Manager

JQ/jvq

Cc: Silver Stream, Inc.